

Serial No.: 10/083,477
Docket No.: 01-053452
YAN.019

REMARKS

An excess claim fee payment letter is submitted herewith for three (3) excess independent claims and one (1) excess total claim.

Claims 3, 5-12, 15, 17-23, and 25-33 are presently pending in the application. Claims 3, 5-12, 15, 17-23, and 25 have been amended to more particularly define the invention. Claims 26-33 have been added to assure Applicant the degree of protection to which his invention entitles him. Claims 1, 2, 4, 13, 14, 16, and 24 have been cancelled in the interest of expediting prosecution.

Claims 1-2, 4, 12-14, 16 and 24-25 were rejected under 35 U.S.C. §102(b) as being anticipated by Marchetto, et al., WO 98/19414. Claims 3, 5, 15 and 17 were rejected under 35 U.S.C. §103(a) as being unpatentable over Marchetto, et al. Claims 6-11 and 18-23 were indicated to be allowable if rewritten in independent form.

Claims 6, 8, 18, and 20 have been amended to independent form. Claims 3, 5-12, 15, and 17-23 are dependent from various of these independent claims. Thus, 3, 5-12, 15, and 17-23 are allowable.

Claim 25 has been amended to incorporate features of allowable claim 18, and so claim 25 is allowable.

Claims 26-32 are dependent from allowable independent claims, and so are also allowable.

Claim 33 includes features of allowable claim 20, and so claim 33 is also allowable.

The title of the application has been amended to correct typographical errors and to reflect the invention as claimed.

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AMENDMENTS TO THE DRAWINGS

The drawings are amended as follows:

In Figure 3, within block 2, change the legend "BASE STATION" to -- MOBILE STATION --.

In Figure 18, within block 5, change the legend "BASE STATION" to -- MOBILE STATION --.

In Figure 40, adjacent the figure number, add the legend -- (BACKGROUND ART) --.

In Figure 41, adjacent the figure number, add the legend -- (BACKGROUND ART) --.

In Figure 42, adjacent the figure number, add the legend -- (BACKGROUND ART) --.

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A minor error has been corrected in each of Figures 3 and 18.

Figures 40-42 have been designated as background art, in view of their substance.

The Office Action does not indicate that the drawings filed with the application have been accepted. Indication of acceptance of those drawings, as well as indication of approval of the above-described drawing corrections, are respectfully requested.

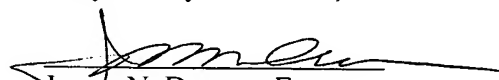
In view of the foregoing, Applicant submits that claims 3, 5-12, 15, 17-23, and 25-33, all the claims presently pending in the application, are patentably distinct over the prior art of record and are allowable, and that the application is in condition for allowance. Such action would be appreciated.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned attorney at the local telephone number listed below to discuss any other changes deemed necessary for allowance in a telephonic or personal interview.

To the extent necessary, Applicant petitions for an extension of time under 37 CFR §1.136. The Commissioner is authorized to charge any deficiency in fees, including extension of time fees, or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Date: March 3, 2005

Respectfully Submitted,


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FIG. 3

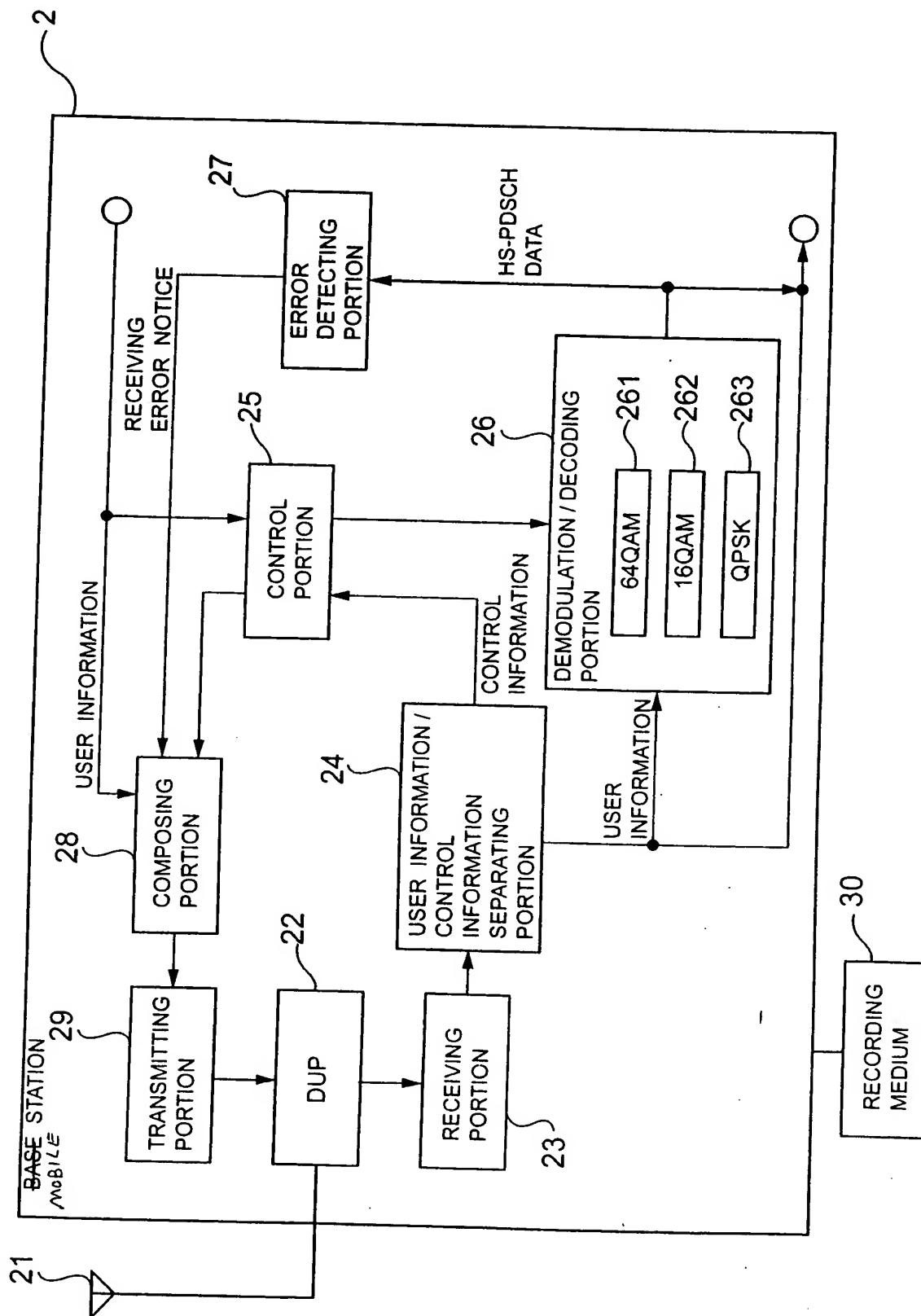
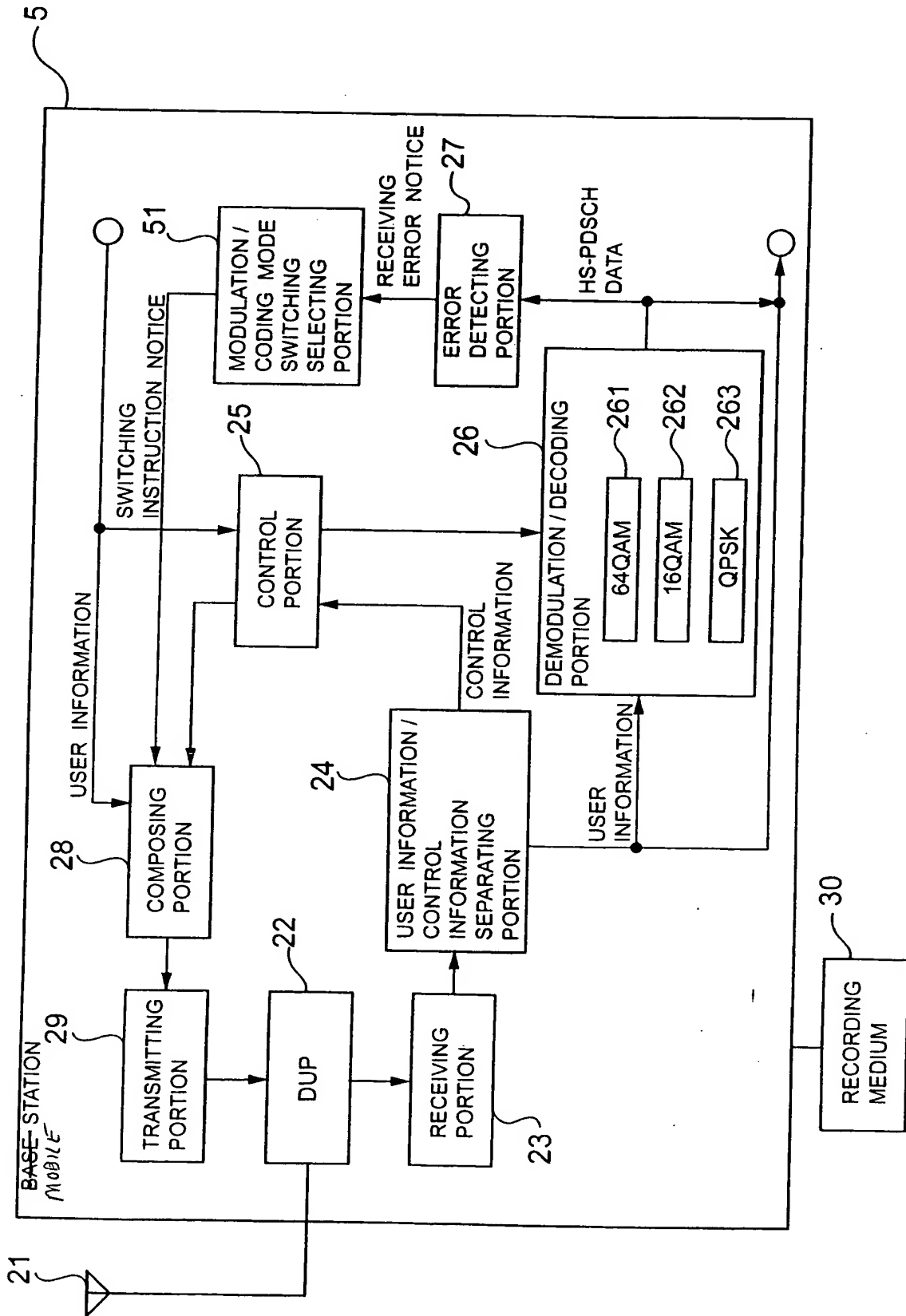
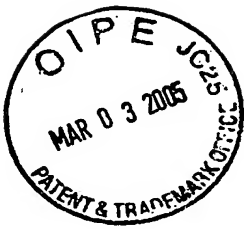




FIG. 18

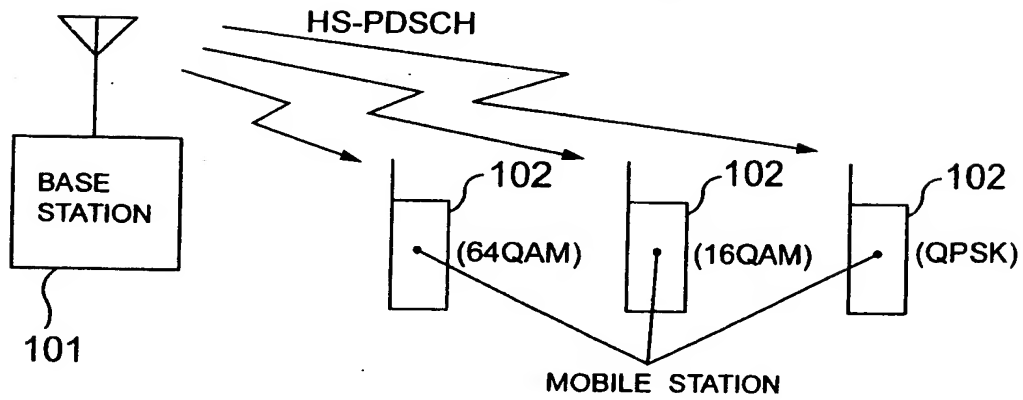




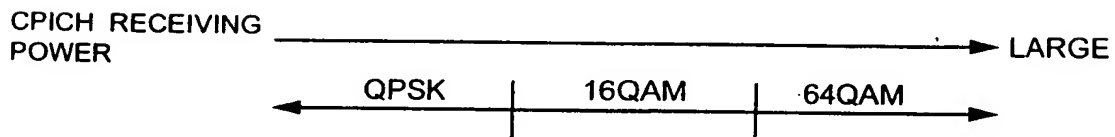
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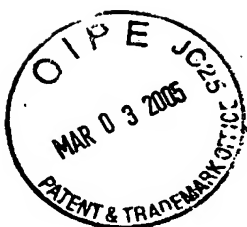
FIG. 40

(BACKGROUND ART)

**FIG. 41**

(BACKGROUND ART)





41 / 41

FIG. 42
(BACKGROUND ART)

